

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RYEKI STEWART,	§	
	§	No. 516, 2008
Defendant Below-	§	
Appellant,	§	Court Below: Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE	§	ID No. 0612022950
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: January 5, 2009

Decided: February 9, 2009

Before **STEELE**, Chief Justice, **BERGER**, and **RIDGELY**, Justices.

***ORDER***

This 9<sup>th</sup> day of February 2009, after careful consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned opinion dated September 24, 2008. The Superior Court carefully reviewed each aspect of Stewart's ineffective assistance of counsel claim and properly determined either that trial counsel's performance was reasonable and that Stewart did not demonstrate that the alleged error on the part of his counsel was prejudicial.<sup>1</sup> On appeal, Stewart has not demonstrated, and the record does not support, that the

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<sup>1</sup> To prevail on a claim of ineffective assistance of counsel, a claimant must establish that counsel's representation fell below an objective standard of reasonableness and that counsel's actions were prejudicial. *Strickland v. Washington*, 466 U.S. 668, 688, 694 (1984).

Superior Court abused its discretion or otherwise erred when denying Stewart's motion for postconviction relief.<sup>2</sup>

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is **AFFIRMED**.

BY THE COURT:

/s/ Henry duPont Ridgely  
Justice

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<sup>2</sup> See *Gattis v. State*, 955 A.2d 1276, 1287 (Del. 2008) (reviewing denial of ineffective assistance of counsel requires review of record to determine whether competent evidence supports findings of fact and whether conclusions of law are not erroneous).